

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 05-664									
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	Application Number 10/551,638	Filed July 31, 2006									
	First Named Inventor Manfred Rahm										
	Art Unit 3742	Examiner S. M. Heinrich									
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top; padding: 5px;"><input type="checkbox"/> applicant/inventor.</td><td style="width: 50%; vertical-align: top; padding: 5px;">/Gregory P. LaPointe #28395/ <div style="text-align: right;">Signature</div></td></tr><tr><td style="vertical-align: top; padding: 5px;"><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td style="vertical-align: top; padding: 5px;">Gregory P. LaPointe <div style="text-align: right;">Typed or printed name</div></td></tr><tr><td style="vertical-align: top; padding: 5px;"><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,395</u></td><td style="vertical-align: top; padding: 5px;">(203) 777-6628 <div style="text-align: right;">Telephone number</div></td></tr><tr><td style="vertical-align: top; padding: 5px;"><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td><td style="vertical-align: top; padding: 5px;">October 19, 2009 <div style="text-align: right;">Date</div></td></tr></table> <p style="margin-top: 10px;">NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<input type="checkbox"/> applicant/inventor.	/Gregory P. LaPointe #28395/ <div style="text-align: right;">Signature</div>	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	Gregory P. LaPointe <div style="text-align: right;">Typed or printed name</div>	<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>28,395</u>	(203) 777-6628 <div style="text-align: right;">Telephone number</div>	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	October 19, 2009 <div style="text-align: right;">Date</div>
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<input type="checkbox"/> *Total of _____ forms are submitted.											

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

The present invention is drawn to a method for securing a rotational symmetrical part to a hub part along an axial direction. The method comprises the steps of inserting the hub part into an opening of the rotational part wherein the contact surface of the hub part engages a contact surface of the rotational symmetrical part in an interference fit to produce an angular deviation of the functional surface from a first position to a second position. Thereafter, the hub part is welded to the rotational symmetrical part at the point of contact of the contact surfaces to produce an angular deviation from the second position back to the first position. It is respectfully submitted that the prior art cited by the Examiner fails to recognize the problem or the solution to which the method of the instant invention is drawn.

The Examiner rejected previously submitted independent claim 8 under 35 U.S.C. 103(a) as being unpatentable over AAPA in view of the '408 document to Fraser taken with the '165 document to Warren et al. It is respectfully submitted that none of the prior art references teach or suggest the limitations set forth in independent method claim 8.

AAPA does not recognize the problem which occurs when press fitting a hub into a rotational symmetrical part. There is nothing in the AAPA which recognizes that such an interference fit produces "an angular deviation of the functional surface from a first position to a second position". This problem is overcome by the method of the present invention by a further welding step which is made specifically "to produce an angular deviation of the functional surface from the second position to the first position". The AAPA does not recognize the problem

nor the solution which the method of the instant invention is drawn.

The '408 document to Fraser likewise does not recognize the problem and, therefore, clearly does not recognize the solution. The '408 document deals with a method for repairing turbine blades and not a method for securing a rotational symmetrical part to a hub part. The '408 patent teaches that the tennon and blade part must be offset to compensate for distortion which might occur as a result of welding the tennon to the blade. The '408 document does not recognize the problems which the instant method is addressed nor the solution as reflected in independent claim 8. The Examiner cites as a tertiary reference the '165 document to Warren et al. Warren et al. merely teaches a weld connection between a shaft and a hub. Again, as with the primary and secondary references, the '165 patent to Warren et al. does not recognize the problem which the instant method is drawn nor the solution as set forth in independent claim 8.

The Examiner rejected previously submitted dependent claims 9-13 under 35 U.S.C. 103 as being unpatentable over the same references noted above with regard to independent claim 8 in further view of the '138 document to Gibson. Initially, it should be noted that the Gibson document likewise fails to recognize the problem which the instant method is drawn nor the solution to the aforesaid problem as reflected in independent claim 8. Furthermore, it is submitted that dependent claims 11, 12 and 13 contain patentable merit in their own right. Providing an encircling groove which is deformed to produce an angular deviation which is thereafter compensated for by welding as set forth in dependent claim 11 is not at all suggested in the prior art.

In addition, with regard to dependent claim 12, the specific location of the radiuses with respect to the side of

the weld as claimed in dependent claim 12 is not at all shown in the prior art.

With regard to dependent claim 13, the specific location of the conical shape to provide for the angular deviation is not at all suggested in the prior art.

In light of the foregoing, it is respectfully submitted that all of the claims as pending patentably define over the art of record and Applicant respectfully requests the Examiner to reconsider his rejection and issue a formal notice of allowance.